

UNITED STATES DISTRICT COURT

for

Western District of Wisconsin

U.S.A. vs. Isaiah Phillips Docket No. 22-cr-112-jdp-3

Petition for Action on Conditions of Pretrial Release

COMES NOW Michael W. Sutor, pretrial services/probation officer, presenting an official report upon the conduct of defendant Isaiah Phillips, who was placed under pretrial release supervision by the Honorable Stephen L. Crocker, sitting in the court at Madison, Wisconsin on the 2nd date of November, 2022 under the following conditions:

Condition No. 9: This court has a zero-tolerance policy for drug use by criminal defendants released on conditions. Violation of any condition of release or of any other direction or instruction given by Pretrial Services relating to drugs or drug use shall result in return to court for a hearing on the modification or revocation of conditions of release.

Condition No. 18: Defendant shall not use, possess, buy, or sell any illicit or narcotic drugs or any other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner with the knowledge or Pretrial Services. Defendant shall not use methadone or obtain a prescription for methadone.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On November 2, 2022, the defendant was placed on conditions of pretrial release which included that he refrains from using drugs. On the same date, he was referred to ATTIC Correctional Services (ATTIC) for ongoing drug testing and to complete a substance abuse evaluation in accordance with Your Honor's imposed special conditions numbers 19 and 20. The defendant is to contact ATTIC daily to inquire if he has been selected for a random drug test. If selected, he must report to the drug testing facility on the same date to provide a sample for testing.

On December 28, 2022, a violation report was submitted to the court reporting that the defendant had three positive drug tests, all of which were positive for THC. Also stated in the violation report was that the defendant was participating in substance abuse treatment and that he was scheduled to commence mental health treatment within the near future. No action was taken by the Court.

On January 20, 2023, a second violation report was submitted to the court reporting that the defendant had four more positive drug tests, all of which were positive for THC. It was also reported that the defendant has continued to attend substance abuse treatment, completed a mental health evaluation, would be starting mental health treatment soon, and would be referred to complete a psychiatric evaluation. No action was taken by the Court.

The defendant has continued to use marijuana despite the interventions imposed by Pretrial Services. Since the last violation report was submitted, the defendant has had four more positive drug tests, all of which were positive for THC. He tested positive for THC on January 30, 2023; February 6, 2023; February 15, 2023; and February 21, 2023.

The defendant is currently attending substance abuse treatment through ATTIC twice a month. He was also referred to WPF2 to attend mental health treatment twice a month. He was scheduled to start treatment with WPF2 on February 17, 2023. However, he texted his counselor requesting to reschedule the appointment and did not provide a reason why. His counselor agreed to reschedule the appointment to February 21, 2023. On February 21, 2023, he texted his counselor

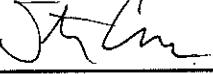
reporting his grandmother suffered from heart attack and asked to reschedule the appointment again. His appointment was then rescheduled to March 3, 2023. The defendant was also referred to Rock Valley Community Programs to complete a psychiatric evaluation and is currently in the process of having that completed.

Since being placed on pretrial release supervision, the defendant has had 11 positive drug tests for THC. He continues to use marijuana despite being involved in substance abuse and mental health treatment. The defendant is clearly unwilling to utilize the skills being discussed in treatment and he continues to defy the conditions of pretrial release.

PRAYING THAT THE COURT WILL ORDER a summons be issued to return the defendant to Court to show cause why his pretrial release should not be revoked.

ORDER OF COURT

Considered and ordered this 1st day of
MARCH, 20 23 and ordered filed
and made a part of the records in the above case.



U.S. District Judge/Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 1, 2023

/s/ Michael W. Sutor

U.S. Pretrial Services/Probation Officer

Place Madison, Wisconsin
